

## REMARKS

### **Status**

This Amendment is responsive to the Office Action dated October 4, 2004, in which Claims 14-35 were rejected. Claim 22 has been canceled; and Claims 14, 24, 29, 30, 33, 34, and 35 have been amended. Accordingly, Claims 14-21 and 23-35 are pending in the application, and are presented for reconsideration and allowance.

### **Claim Rejection - 35 USC 103**

Claims 14-35 stand rejected under 35 USC 103 as being unpatentable over US Patent No. 5,473,400 (Lemberger et al.) in view of US Patent No. 6,227,643 B1 (Purcell et al.). This rejection is respectfully traversed.

None of the references either singly or in combination negative invention in the claimed invention. Lemberger et al. discloses a resealable cartridge for sheets of photographic film which includes a one-piece rigid polymer tray having a resealable flexible cover. A bar code is disposed on the outside of the tray to be read by a bar code reader in a laser imager. The examiner concedes that "Lemberger et al. does not disclose 'a radio frequency identification transponder disposed on or inside the support member and which can be communicated with while the sheet media are removed from the supply area, with or without physical contact with the transponder, and which store relevant data, wherein the transponder remains on or inside the support member until removal of all the sheet media'" (as applied to claim 14). The examiner seeks to remedy this failure in teaching of Lemberger et al. by citing Purcell et al. It is submitted that this remedy fails. Purcell et al. discloses an ink jet printer including a roll of media having a memory element (bar code, two wire interface memory, or RFID tag) mounted on a flange on the outside of the roll. In the first two cases, the memory element must be mounted on the outside since direct optical or physical contact is necessary for communication. Where the memory element is an RFID tag, in keeping with the other teachings relating to the memory element, it too is mounted on the outside of the roll. Since the bar code in Lemberger et al. is also mounted on the outside, if the RFID memory element of Purcell et al. is substituted for the bar code of Lemberger et al., it too must be placed on the outside of the Lemberger et al. cartridge. There is no disclosure in either

reference of mounting the memory element on the inside of a support element, cartridge, or other packaging. Combining the teachings of these two references is challenged, since the problems to be solved when processing sheet media are different from the problems to be solved when processing roll media. It is clear that the examiner has used impermissible hindsight and the teachings of this application in an attempt to make obvious the present invention.

According to the present invention as defined in claim 1 there is provided a sheet media package system including a support member which includes a supply area for holding a plurality of sheet media and an RFID transponder disposed on the inside of the support member which can be communicated with without physical contact with the transponder. As pointed out above, there is no disclosure in either reference of disposing an RFID transponder on the *inside* of the support element. Claim 15 is dependent from claim 14 and disposes the transponder beneath the sheet media. There is no disclosure in either reference of disposing an RFID transponder beneath the sheet media on the inside of the support member. Claim 16 is dependent from claim 14 and disposes the transponder on the side of the support member. Again, there is no disclosure in either reference of disposing an RFID transponder on the inside side of the support member. Claim 17 is dependent from claim 14 wherein the transponder is disposed on a removable support beneath the plurality of sheet media. There is no disclosure in either reference of disposing an RFID transponder on a removable support on the inside of the support member and beneath the sheet media. Substituting the RFID tag of Purcell et al. for the bar code of Lemberger et al. disposes the RFID tag on the outside of the cartridge on a fixed rigid member of the cartridge, not a removable member. Claim 18 is dependent from claim 14 wherein the transponder is located on top of the plurality of sheet media. There is no disclosure in either reference of this feature. Claim 19 is dependent from claim 14 wherein the transponder stores various types of digital data, including messages for customers, sales or service personnel, upgrade software for the apparatus, software parameters for the apparatus, packaging recycling data, apparatus performance optimization information and machine error information. There is no disclosure in either reference of storing such digital data in an RFID transponder disposed with sheet media. Claim 21 is

dependent from claim 14 wherein the package system is a flexible light-tight package. Neither reference discloses this feature. Claim 23 is dependent on claim 14 wherein the transponder stores digital data representing cartridge recycling data and cartridge error codes. Neither reference discloses this feature, contrary to the assertion by the examiner.

The arguments set forth above regarding the patentability of claims 14-21 are equally applicable to the patentability of claims 24-28.

Claim 29 defines a sheet media package system including a plurality of sheet media and a support with an RFID transponder defining a stack, packaging for holding the stack and a supply drawer having a supply area adapted to receive the stack when removed from the package. The arguments set forth above are equally applicable to the patentability of claim 29. Further, in Lemberger et al., the cartridge (packaging) remains with the stack of media sheets when loaded in the supply drawer of the laser imager, thus teaching away from the invention defined by claim 29.

The arguments set forth above relative to the patentability of claims 14-21 and 24-29 are equally applicable to the patentability of claims 30-35

For the reasons set forth above, claims 14-21 and 23-35 are believed to be patentable.

### **Summary**

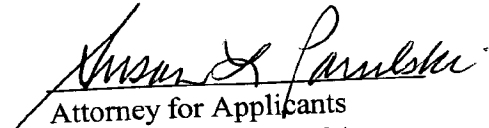
It is submitted that the claims in the application are novel and nonobvious over the cited references and should be allowed.

Should the Examiner consider that additional amendments are necessary to place the application in condition for allowance, the favor is requested of a telephone call to the undersigned counsel for the purpose of discussing such amendments.

For the reasons set forth above, it is believed that the application is in condition for allowance. Accordingly, reconsideration and favorable action are respectfully solicited.

The Commissioner is hereby authorized to charge any fees in connection with this communication to Eastman Kodak Company Deposit Account No. 05-0225.

Respectfully submitted,

  
Attorney for Applicants  
Registration No. 39,324

Susan L.Parulski/law  
Rochester, NY 14650-2201  
Telephone: (585) 477-4027  
Facsimile: (585) 477-4646